

1 ANTHONY P. SGRO, ESQ.
2 Nevada Bar No. 3811
3 **PATTI, SGRO & ROGER**
4 720 South Seventh St., Third Floor
5 Las Vegas, Nevada 89101
6 Telephone No.: (702) 385-9595
7 Facsimile No.: (702) 386-2737
8 *Attorneys for Defendant Akaragian*

6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

* * *

8 UNITED STATES OF AMERICA,

CASE NO.: 2:13-CR-00039-JAD-VCF

9 Plaintiff,

10 vs.

11 PETER AKARAGIAN,

12 Defendant.
13

14 **STIPULATION TO CONTINUE EVIDENTIARY HEARING DATE FOR DEFENDANT**
15 **AKARAGIAN'S MOTION TO DISMISS FOR PROSECUTORIAL MISCONDUCT, OR**
16 **IN THE ALTERNATIVE, MOTION TO SUPPRESS STATEMENTS**

(Fourth Request)

17 IT IS HEREBY STIPULATED by and between PETER AKARAGIAN and the UNITED
18 STATES OF AMERICA that the hearing on Defendant AKARAGIAN's Motion to Dismiss
19 currently set to be heard on March 14, 2017, be moved at least ninety (90) days.

20 This stipulation is entered into based on the following:
21

- 22 1. Calendar call and trial in this case are currently set for June 26, 2017 and July 11,
23 2017, respectively.
- 24 2. On January 29, 2016, Akaragian filed his "Motion to Dismiss for Prosecutorial
25 Misconduct[,] or in the Alternative[,] Motion to Suppress Statements and Request for
26 Evidentiary Hearing. The parties thereafter agreed to multiple continuances of the
27 Government's response deadline. The Government filed its response on June 29, 2016.
28

The Government then stipulated to continuances of Akaragian's deadline for filing a reply brief. Akaragian filed his reply brief on August 18, 2016. The Court then issued on August 19, 2016, an order setting a September 1, 2016 evidentiary hearing on the motion. The Court then granted a Stipulation to continue that date to September 9, 2016 on August 22, 2016. Another Stipulation to continue the evidentiary hearing was granted October 20, 2016, moving the date to February 6, 2017. A third Stipulation to continue the evidentiary hearing was granted January 6, 2017, moving the date to March 14, 2017.

3. All counsel are in agreement that more time is necessary to prepare this evidentiary hearing.
4. The discovery in this case is voluminous, containing, to date, over 150,000 documents.
5. Counsel for Defendant Akaragian spoke with AUSA J. Patrick Burns, and the Government has no objection to the requested continuance, and has agreed to the proposed timeframe.
6. Failure to grant this request for continuance would deny the Defendant the opportunity to properly prepare for this evidentiary hearing.
7. This request is made in good faith and not for purposes of delay.
8. For all of the above-stated reasons, the ends of justice would be best served by a continuance of the evidentiary hearing.

DATED this 14th day of February, 2017.

Respectfully submitted,

/s/ Anthony P. Sgro
ANTHONY P. SGRO, ESQ.
Attorney for Defendant Akaragian

/s/ Patrick Burns
PATRICK BURNS, AUSA
Assistant United States Attorney

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PETER AKARAGIAN,

Defendant.

CASE NO.: 2:13-CR-00039-JAD-VCF

**ORDER GRANTING STIPULATION TO
CONTINUE PRETRIAL MOTIONS AND
TRIAL**

FINDINGS OF FACT

Based on the pending Stipulations of the parties, and good cause appearing therefor, the Court finds that:

1. Calendar call and trial in this case are currently set for June 26, 2017 and July 11, 2017, respectively.
2. On January 29, 2016, Akaragian filed his “Motion to Dismiss for Prosecutorial Misconduct[,] or in the Alternative[,] Motion to Suppress Statements and Request for Evidentiary Hearing. The parties thereafter agreed to multiple continuances of the Government’s response deadline. The Government filed its response on June 29, 2016. The Government then stipulated to continuances of Akaragian’s deadline for filing a reply brief. Akaragian filed his reply brief on August 18, 2016. The Court then issued on August 19, 2016, and order setting a September 1, 2016 evidentiary hearing on the motion. The Court then granted a Stipulation to continue that date to September 9, 2016 on August 22, 2016. Another Stipulation to continue the evidentiary hearing was granted October 20, 2016, moving the date to February 6, 2017. A third Stipulation to

1 continue the evidentiary hearing was granted January 6, 2017, moving the date to
2 March 14, 2017.

3 **CONCLUSIONS OF LAW**

- 4 1. All counsel are in agreement that more time is necessary to prepare this evidentiary
5 hearing.
6 2. The discovery in this case is voluminous, containing, to date, over 150,000 documents.
7 3. Counsel for Defendant Akaragian spoke with AUSA J. Patrick Burns, and the
8 Government has no objection to the requested continuance, and has agreed to the
9 proposed timeframe.
10 4. Failure to grant this request for continuance would deny the Defendant the opportunity
11 to properly prepare for this evidentiary hearing.
12 5. This request is made in good faith and not for purposes of delay.
13 6. For all of the above-stated reasons, the ends of justice would be best served by a
14 continuance of the evidentiary hearing.
15

16 **ORDER**

17 **IT IS HERBY ORDERED** that the evidentiary hearing on Defendant Akaragian's
18 "Motion to Dismiss for Prosecutorial Misconduct, or in the Alternative, Motion to Suppress
19 Statements," in *United States v. Ramon Desage, et al.*, 2:13-CR-0039-JAD-VCF, previously
20 scheduled for March 14, 2017 at 10:00 a.m. is vacated and continued until
21 May 22, 2017 at 10AM.
22

23
24 DATED this 14th day of February, 2017.

25
26 
27 UNITED STATES MAGISTRATE JUDGE
28